

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12305 of William Matuszeski and Mary Procter, pursuant to Sub-section 8207.11, for an area variance from height limitation (3201.1) to permit the addition of a fourth floor to a dwelling in the R-4 District at 413 5th Street, S.E. (Lot 840, Square 821).

HEARING DATE: February 16, 1977

DECISION DATE: March 8, 1977

FINDINGS OF FACT:

1. The property is located in the R-4 District.
2. The existing structure is a three story building.
3. Applicant proposes to add a fourth story consisting of two rooms, a bath and a rear deck.
4. The proposed addition would result in a building height of 34 feet 4 inches.
5. The property has a rear yard of sixty-five (65) feet. Seventeen (17) feet to the rear of the structure an easement begins which affords access to applicants' and three other parking spaces.
6. Applicants rejected a rear yard expansion in order to preserve their rear yard.
7. The application was supported by adjacent property owners, the Capitol Hill Restoration Society and Advisory Neighborhood Council 6B.

CONCLUSIONS OF LAW AND OPINION

Applicant seeks an area variance which requires a showing of hardship or unique or peculiar or exceptional difficulties. The Board is of the opinion that the applicants have failed to

Application No. 12305
Page No. 2

make the required showing. It is therefore ORDERED that the application is hereby DENIED.

VOTE: 3-0 (Leonard L. McCants, Esq., William F. McIntosh,
Richard L. Stanton).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Arthur B. Hatton
ARTHUR B. HATTON
Secretary to the Board

FINAL DATE OF ORDER: 6-6-77